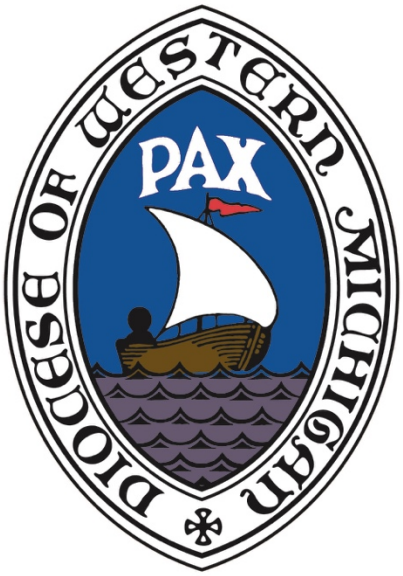

CONSTITUTION & CANONS

Together with the Rules of Order

THE DIOCESE OF WESTERN MICHIGAN
As adopted by the 143rd Annual Convention at Kalamazoo, Michigan, on November 4, 2017

Contents

CONSTITUTION OF THE DIOCESE OF WESTERN MICHIGAN

PREAMBLE 1
ARTICLE I: ACCESSION TO PROTESTANT EPISCOPAL CHURCH 1
ARTICLE II: TERRITORY IN DIOCESE 1
ARTICLE III: ECCLESIASTICAL AUTHORITY 1
ARTICLE IV: CONVENTIONS 1
ARTICLE V: ELECTION OF A BISHOP 3
ARTICLE VI: AMENDMENT OF CONSTITUTION 3

CANONS OF THE DIOCESE OF WESTERN MICHIGAN

PREAMBLE 5

TITLE I: ORGANIZATION AND ADMINISTRATION

CANON 1: DEFINITIONS 5
CANON 2: THE ASSOCIATION OF THE DIOCESE 6
CANON 3: THE CONVENTION 7
CANON 4: OFFICERS: ELECTED AND APPOINTED 9
CANON 5: DEPUTIES TO GENERAL CONVENTION AND PROVINCIAL SYNOD REPRESENTATIVES 12
CANON 6: THE STANDING COMMITTEE 13
CANON 7: THE DIOCESAN COUNCIL 14
CANON 8: MISSION REGIONS AND CONVOCATIONS 16
CANON 9: THE GENERAL FUND 17
CANON 10: THE COMMITTEE ON CONSTITUTION AND CANONS 19
CANON 11: ELECTION OF A BISHOP 19
CANON 12: THE BISHOP COADJUTOR 20
CANON 13: COMMITTEES 20
CANON 14: COMMISSION ON MINISTRY 20
CANON 15 - 19: RESERVED 21

TITLE II PARISHES

CANON 20: EQUALITY OF CONGREGATIONS 21
CANON 21: ESTABLISHMENT OF NEW CONGREGATIONS 21
CANON 22 PARISH MEETINGS 25
CANON 23: THE VESTRY: ITS OFFICERS, MEETINGS, AND DUTIES 27
CANON 24: REGISTERS AND PAROCHIAL REPORTS 30
CANON 25: FINANCIAL ASSISTANCE TO CONGREGATIONS 30
CANON 26: DISSOLUTION OF CONGREGATIONS 31
CANON 27: CONGREGATIONAL INDEBTEDNESS 32
CANON 28: AUDITS and INSURANCE 32
CANON 29: MINIMUM COMPENSATION STANDARDS FOR CLERGY 33
CANON 30: PASTORAL RELATIONSHIPS 34
CANON 31: RESTORING CONGREGATIONAL HEALTH 34
CANONS 32 – 39: RESERVED 37

TITLE III ORGANIZING FOR MINISTRY

CANON 40: ADMINISTRATIVE PLAN 37
CANONS 41 - 49 RESERVED 38

TITLE IV ECCLESIASTICAL DISCIPLINE

CANON 50: TITLE IV OF GENERAL CANONS 38
CANON 51: DIOCESAN COOPERATION 39
CANON 52: DISCIPLINARY BOARD 39
CANON 53: INTAKE OFFICER 41
CANON 54: INVESTIGATOR 41
CANON 55: CHURCH ATTORNEY(S) 41
CANON 56: ADVISORS 41
CANON 57: COSTS AND EXPENSES INCURRED BY THE CHURCH 42
CANON 58: RECORDS 42
CANON 59: INVOLVEMENT OF THE CHANCELLOR 42
CANON 60: POLICIES OF THE DIOCESE 42
CANONS 61 - 69 RESERVED 43

TITLE V: AMENDMENT, CONSTRUCTION, PARLIAMENTARY AUTHORITY

CANON 70: AMENDMENT OF CANONS 43
CANON 71: CONSTRUCTION 43
CANON 72: PARLIAMENTARY AUTHORITY 44
CANON 73: PRESUMPTION AGAINST CONFLICT OF INTEREST 44
CANON 74: REPRESENTATION OF POSITION OF DIOCESE 44
CANON 75: TRANSITIONAL PROVISIONS 44

RULES OF ORDER

I. ORGANIZATION 45
II. GENERAL 45

INDEX

INDEX 48

CONSTITUTION OF THE DIOCESE OF WESTERN MICHIGAN

PREAMBLE

Dedicated to the worship and service of Almighty God in the Anglican and Episcopal tradition, this Constitution is ordained and established for the Diocese of Western Michigan.

ARTICLE I: ACCESSION TO PROTESTANT EPISCOPAL CHURCH

This Diocese is a constituent of the Protestant Episcopal Church in the United States of America, otherwise known as The Episcopal Church (which name is hereby recognized as also designating The Church) and accedes to the doctrine, discipline, worship, constitution, canons and authority of The Episcopal Church, and recognizes the authority of the General Convention of The Episcopal Church.

ARTICLE II: TERRITORY IN DIOCESE

The Diocese of Western Michigan embraces substantially the western half of the Lower Peninsula, including thirty-three counties and the islands jurisdictionally attached to any thereof, and extends north from the south line of said state a distance of three hundred miles, more or less, to the Straits of Mackinac, and is bounded west by the west line of said state opposite the western tier of counties hereafter named, and is bounded on the east by the east line of the several counties of Branch, Calhoun, Eaton, Ionia, Montcalm, Isabella, Clare, Missaukee, Kalkaska, Antrim, Charlevoix, and Emmett, and includes all of the territory within said counties, and includes as well all of the territory within the counties of Berrien, Cass, St. Joseph, Van Buren, Kalamazoo, Allegan, Barry, Ottawa, Kent, Muskegon, Oceana, Newaygo, Mecosta, Mason, Lake, Osceola, Manistee, Wexford, Benzie, Grand Traverse and Leelanau.

ARTICLE III: ECCLESIASTICAL AUTHORITY

Section 1. ECCLESIASTICAL AUTHORITY

The Bishop Diocesan is the ecclesiastical authority of the Diocese, or in the absence of the Bishop Diocesan, the Bishop Coadjutor shall be the ecclesiastical authority of the Diocese, if there be one; or, if there is no Bishop Coadjutor, the Standing Committee shall be the ecclesiastical authority of the Diocese in the absence of a Bishop Diocesan or Bishop Coadjutor.

ARTICLE IV: CONVENTIONS

Section 1. AUTHORIZATION

An Annual Convention shall be, and special Conventions may be, called and held in this Diocese, as shall be provided by Canon.

Section 2. COMPOSITION OF CONVENTION

The Annual Convention shall be comprised of clerical and lay delegates as follows:

(a) The Bishop;

(b) Each member of the clergy canonically and actually resident and having pastoral charge, or engaged in work requiring the exercise of clerical duties;

(c) Each member of the clergy canonically and actually resident in the Diocese but not exercising clerical duties solely by reason of age or sickness;

(d) Each member of the clergy canonically resident in this Diocese but who is on active duty in the Chaplain's Corps of the Armed Forces of the United States of America;

(e) Each abbot, prior or acting head of a monastic community who is canonically and actually resident in the Diocese;

(f) Professed and ordained members of a monastic community canonically and actually resident in the Diocese and having pastoral charge of a parish in the Diocese;

(g) Lay delegates shall be adult communicants in good standing chosen as prescribed by Canon. Each congregation in union with Convention shall be entitled to not more than four lay delegates not less than one lay delegate as prescribed by Canon.

(h) Youth delegates shall be adult communicants in good standing, between the ages of 16 and 21 years. Each Deanery shall select one (1) youth delegate and an additional five (5) youth delegates shall be selected as prescribed by Canon.

(i) All people who want to participate in the life, worship and governance of this Church shall be encouraged regardless of race, color, ethnic origin, national origin, marital status, gender, sexual orientation, disabilities or age, except as otherwise specified by Canon. Every effort shall be made in every election or appointment process to include members of underrepresented groups.

Section 3. QUORUM

A majority of the clergy entitled to vote and a majority of the qualified lay delegates entitled to vote, duly assembled in Convention shall constitute a quorum. In the absence of a quorum, a majority of the voting members present may adjourn the Convention from time to time.

Section 4. OTHERS WHO MAY BE SEATED

The Convention may seat with voice, but without right to vote unless otherwise qualified, any person not listed in Article IV, Section 2, above.

Section 5. OFFICERS OF CONVENTION

(a) The Bishop shall be the presiding officer at any Convention. In the absence of the Bishop, the Bishop Coadjutor, if any, shall preside, or in the Bishop Coadjutor's absence the Suffragan Bishop, if any, shall preside. Otherwise, the Convention shall elect a

president pro tempore from among its clerical members or a Bishop performing episcopal functions in the Diocese as provided by Canon.

(b) The Convention shall elect annually by ballot members sufficient to fill any vacancy on the Standing Committee, whose eligibility and terms shall be delineated under the provisions of Title I, Canon 6, Section 6.01.

(c) There shall be elected, or appointed, such other officers, committees, boards and trustees as shall be required by Canon, wherein their respective powers and duties shall be defined.

Section 6. LEGISLATION

The Convention shall have power to adopt such Canons and other legislation as it shall deem beneficial to this Diocese, and to amend or repeal the same, provided that such legislation shall be consistent with this Constitution and with the Constitution and Canons of the General Convention and not in conflict with any valid law established by civil authority.

Section 7. CONGREGATIONS

Provision shall be made by Canon for the organization of congregations and for their admission into union with the Diocese, and for their continuation therein or exclusion therefrom, or dissolution.

Section 8. VOTING

A simple majority vote shall be sufficient for the adoption of any motion, resolution or legislation, except as shall be otherwise required by Constitution or by Canon, or upon request of any seven members entitled to vote, the two orders shall vote separately, and concurrence of the requisite majority of each order shall be necessary for adoption.

ARTICLE V: ELECTION OF A BISHOP

The procedure for election of a Bishop shall be as provided by Canon, and the same procedure shall be applicable to election of a Bishop Coadjutor or a Suffragan Bishop. At any such election, a motion to go into committee of the whole shall be of highest privilege after the first ballot and shall be carried by one-third of the votes of each order.

ARTICLE VI: AMENDMENT OF CONSTITUTION

This Constitution or any part thereof may be amended in the following manner only: At least ninety days in advance of the annual Convention, the proposal to amend shall be submitted to the Bishop in writing, who shall give notice of the substance of the proposed amendment, not less than thirty days in advance of the Convention, to each member of the clergy entitled to seat and vote and to each congregation in union with the Diocese. The Bishop shall refer such proposal to an appropriate committee, which shall report to the Convention. After hearing the report of the committee, the amendment may be considered by the Convention and, if approved, or approved with change, then shall lie over until the next annual Convention. If the

amendment is adopted at the second annual Convention by a majority of each order, the Constitution shall stand amended accordingly from and after the close of the day of final adjournment of the Convention at which such adoption occurs.

CANONS OF THE DIOCESE OF WESTERN MICHIGAN

PREAMBLE

Diocesan Canons are an organizational, legal, and financial document, through which the Episcopal Diocese of Western Michigan is enabled to carry out its mission and vision. Our mission, rooted in the Anglican and Episcopal tradition, is to worship God, to follow Jesus Christ, to grow together in the Holy Spirit, and to serve the world. Our vision is to live our values and be healthy, mission-focused diverse parishes with innovative, collaborative engagement at all levels.

TITLE I: ORGANIZATION AND ADMINISTRATION

CANON 1: DEFINITIONS

Terms used in these Canons are defined, for purposes of this document, as follows:

(a) "Bishop" refers to a Bishop Diocesan elected to that position as provided by the Constitution and Canons of this Diocese.

(b) "Calendar Year" refers to a year beginning at the first moment of the day on January 1 and ending at the last moment of the day on the following December 31.

(c) "Church" refers to The Episcopal Church as a constituent member of the Anglican Communion.

(d) A "Communicant in Good Standing" shall include all persons who have received the Sacrament of Holy Baptism with water in the Name of the Father, and of the Son, and of the Holy Spirit, whether in this Church or in another Christian Church, and whose Baptisms have been duly recorded in this Church. An "Adult Communicant in Good Standing" in a Congregation is a communicant in good standing who is sixteen (16) years of age or older in that Congregation; and who, for the previous year, have been faithful in corporate worship, unless for good cause prevented, and have been faithful in working, praying, and giving for the spread of the Kingdom of God.

(e) The term "congregation" means a recognized body of worshipers in the Diocese.

(f) "Diocesan Commission" refers to any and all institutions, councils, committees, commissions, task forces, ecclesiastical or other corporation, and any other group organized and performing a function for the Diocese, by whatever name or designation, as well as affiliated organizations and institutions.

(g) "Diocese" refers to the Diocese of Western Michigan.

(h) "Ecclesiastical Authority" refers to the Bishop Diocesan of the Diocese. During times when the Diocese is without a Bishop Diocesan, or the Bishop Diocesan is incapacitated or away, the Standing Committee is the Ecclesiastical Authority of the Diocese.

(i) The "fiscal year" of the Diocese, and of its constituent Parishes, Missions, and organizations, is the calendar year.

(j) A "New Congregation" is a congregational ministry of the Diocese or of a sponsoring Parish; in the charge of the Bishop, or at the Bishop's discretion and pleasure, a presbyter.

(k) A "Parish" is a self-governing and self-supporting congregation within the Diocese, permitted to incorporate or is incorporated under the laws of the State of Michigan, in the charge of a Rector, and authorized to send lay delegates with voice and vote to Convention. The Governing Body of a Parish is a Vestry.

(l) A "Seasonal Chapel" is any Summer or Seasonal Chapel within the confines of the Diocese which shall be under the control and direction of the Bishop; who, in turn, shall order the liturgical norm for such chapels and be responsible for appointing members of the clergy to officiate and celebrate, as the Bishop sees fit and proper. The Bishop has the discretion for purposes of administration, to appoint a presbyter, resident in the Diocese, as Priest-in- Charge, to function and administer such a chapel. All assets and real properties of such chapels shall be vested in the Diocese as provided under Title I, Canon 2, Section 2.02, of these Canons.

(m) The term "vote by orders" is a vote taken at a Convention or other occasion in which clerical and lay votes are counted and reported separately.

(n) The "year" for terms of Diocesan office, shall begin at the close of the annual Convention, and extend to the close of the next annual Convention of the Diocese.

(o) A person qualifies as a "youth delegate" if, in addition to being a member of a Parish and of this Church, that person is attending high school, or its equivalent.

CANON 2: THE ASSOCIATION OF THE DIOCESE

Section 2.01. STATUS

The Diocese of Western Michigan is a non-profit, non-stock ecclesiastical trustee corporation organized and existing under the laws of the State of Michigan, and is custodian for the collection, holding, investment and management of:

(a) All property and permanent funds of the Diocese except such as are or may be held by the Bishop as discretionary funds.
(b) All property and funds which may be conveyed to and held by it in trust for specified congregations, societies, groups or committees.
(c) All property and funds conveyed to it in trust for the furtherance of any religious, educational or charitable purpose of this Church.

Section 2.02. TITLE OF PROPERTY

All conveyances shall be made to, and title to all property belonging to the Diocese shall vest in the Diocese, to be held for such purposes as its articles provide, or as the Convention may direct by Canon or resolution, or as may be provided in any will, trust instrument or valid order of a court of competent jurisdiction; provided that title to such property may be conveyed to and held by the Bishop Whittemore Foundation, a Michigan Ecclesiastical corporation organized and operated for the purpose of furthering the work of the Diocese, whenever and to the extent the Diocesan Council deems it necessary or expedient, and subject to such terms and conditions, if any, as the Diocesan Council sees fit to impose.

A Parish or other entity of the Diocese must obtain the approval of both the Bishop and the Standing Committee before acquiring or disposing of real property, whether by purchase, gift, bequest, or otherwise. Title to real property shall be held in trust for the Diocese of Western Michigan, except as otherwise directed by the Bishop and the Standing Committee.

Section 2.03. SECURITIES AND CONTRACTS

The Diocese shall have full authority to buy and sell investments, securities, notes, mortgages, and to enter into leases and other contracts upon the approval of the annual Convention or Diocesan Council.

Section 2.04. DIOCESAN FUNDS

The use of Diocesan funds shall be determined by the Diocesan Council.

Section 2.05. EXTENSION OF AGENCY SERVICE TO VESTRIES AND OTHERS

If any Vestry, society, guild, circle, or board of any congregation of this Diocese shall desire to avail itself of the services of the Diocese as an agency for the safekeeping and management of funds or securities, it may do so under such form of agency agreement as may be approved by the Diocesan Council. Application for such service shall be pursuant to resolution of the governing body of the applicant and shall have the written approval of the Rector.

CANON 3: THE CONVENTION

Section 3.01. ANNUAL CONVENTION

The date, time and place of annual Convention shall be appointed by the Ecclesiastical Authority.

Section 3.02. SPECIAL CONVENTIONS

The Ecclesiastical Authority shall have power to call special conventions and shall do so when requested in writing by any five members of the Standing Committee.

Section 3.03. NOTICE OF ANNUAL OR SPECIAL CONVENTION

Written notice of the date, time and place of holding any annual or special Convention shall be transmitted by the Secretary, either by mail or electronically, to every member of the clergy in

the Diocese and to the wardens of every Parish or new congregation without a Rector or Vicar at least thirty days before the date of meeting.

Notice of an annual Convention shall be accompanied by a copy of the provisions of the Constitution and Canons relating to the election of lay delegates and alternates. A form of certificate of election of lay delegates and alternates shall be made available electronically, which is to be completed and signed (actually or electronically) by the Rector or warden and by the secretary of the Vestry or the secretary of the annual meeting at which they were elected, and transmitted to the Diocesan Secretary in accordance with the instructions therefor.

Notice of a special convention shall specify the purpose or purposes thereof.

Section 3.04. SELECTION OF DELEGATES

Each parish or new congregation shall be entitled to representation by lay delegation at Diocesan Convention. Representation at Diocesan Convention by lay delegates shall be based upon the average Sunday attendance as reported in the annual parochial report filed in the current year. The number of delegates shall be determined by the following:

Average Sunday Attendance	Authorized Number of Delegates
1-100	2 Delegates
101-150	3 Delegates
151+	4 Delegates

Lay delegates and alternates shall be chosen at a preceding annual meeting of the Parish or Mission in accordance with the Parish or new congregation By-Laws, unless there be a vacancy, in which case it shall be filled as prescribed by such By-Laws. At least one lay member of a Parish's delegation shall where possible be a member of the Vestry.

Youth Delegates at any Convention shall be selected as follows:

(a) One youth delegate and one alternate from each of the three Mission Regions shall be selected by each Region, at its first meeting following the preceding Diocesan Convention. The Region shall have the authority to fill any vacancies that occur in these two positions.

(b) Five at-large Youth Delegates and five at-large alternates shall be appointed by the Bishop Diocesan with advice from relevant Diocesan committees. The Bishop Diocesan shall have the authority to fill any vacancies that may occur in these positions.

Section 3.05. FUNCTIONS OF CONVENTION

A convention, whether annual or special, except as limited by Constitution or Canon, has power to:

(a) Prescribe its own rules of procedure;

(b) Amend the Constitution;

(c) Enact, amend, or repeal Canons;

(d) Elect a Bishop Diocesan, in case of vacancy;

(e) Elect a Bishop Coadjutor or a Bishop Suffragan as provided by Constitution or Canon;

(f) Elect officers and confirm appointments as provided by Constitution or Canon;

(g) Appoint commissions, committees, agencies, ecclesiastical or other corporations, and boards, ad hoc or otherwise, as necessary for the business of the Convention, and to define their duties;

(h) Admit a congregation into union with the Convention in the manner prescribed by Canon, and to terminate such union;

(i) Adopt, order filed, or reject reports of officers and other instrumentalities;

(j) Adopt budgets; and

(k) Approve resolutions.

CANON 4: OFFICERS: ELECTED AND APPOINTED

Section 4.01. QUALIFICATIONS

To be eligible to serve as an officer of any Convention, member of the Standing Committee or Diocesan Council, deputy to the General Convention or Provincial Synod, any member of the clergy or lay person must be a communicant in good standing, except that a lay person may be elected who has not previously been elected a delegate to the annual Convention.

Diocesan officers (except for the Standing Committee and the Diocesan Council) provided for in this Canon may be nominated by the Ecclesiastical Authority and, if there be no other nominations, elected by acclamation by the Convention.

All people who want to participate in the life, worship and governance of this Church shall be encouraged regardless of race, color, ethnic origin, national origin, marital status, gender, sexual orientation, disabilities or age, except as otherwise specified by Canons. Every effort shall be made in every election or appointment process, to include members of underrepresented groups.

Section 4.02. PRESIDING OFFICER

The presiding officer shall be as provided in Article IV, Section 5, of the Constitution. The presiding officer shall:

(a) Control the order of business except as otherwise provided by rules prescribed by the Convention or by Canon,

(b) Maintain order and decorum and accelerate the dispatch of business, and

(c) Shall have no vote except in case of a tie.

Section 4.03. SECRETARY

The Secretary shall be elected by the annual Convention for a term of one year and shall have the duty to:

(a) Attend to the giving of all notices of a Convention and shall perform all duties assigned by the presiding officer or by the Convention, or by Canon,

(b) File and preserve all certificates of election of lay delegates and all written reports laid before the Convention;

(c) Preserve in permanent form complete minutes of the proceedings of the Convention and all its records;

(d) Deliver to the Bishop such documents of historical value as the Bishop may request;

(e) Prepare, proofread and cause promptly to be printed, the Journal of the annual Convention, and shall transmit or disseminate a printed or electronic copy thereof throughout the Diocese at the direction of the Diocesan Council.

The Secretary may appoint an Assistant Secretary or secretaries with approval of the annual Convention.

Section 4.04. TREASURER

The Treasurer shall be elected by the annual Convention for a term of one year. Prior to engaging in the duties of office, the Treasurer shall give bond as required by Canon of the General Convention. Such bond shall be deposited with the Bishop.

The Treasurer or the Diocesan Financial Officer shall have the duty to:

(a) Receive and safely preserve and account for all monies and other things of value which come into the Treasurer's possession or control, and to make disbursement therefrom when, as, and only to the extent, duly authorized;

(b) Maintain in books belonging to the Diocese an accurate record in detail of all receipts and disbursements of money or other things of value and to maintain a separate complete account of each fund:

(c) Obtain and keep on file proper receipts and vouchers evidencing all disbursements;

(d) Present to the annual Convention, and deliver to the Diocesan Council upon request, a detailed report of the receipts and disbursements of each fund, and of the balance on hand;

(e) Cause an audit satisfactory to the Diocesan Council to accompany the annual report;

(f) Exercise diligence in the collection of all funds due and payable to the Diocese; and

(g) Deliver promptly to a duly elected and qualified successor in office, all monies and other things of value which have come into the Treasurer's hands, or control and which

have not been lawfully disbursed, together with all books, records, files, documents, receipts, vouchers, and correspondence pertaining to the office of Treasurer.

Section 4.05. ASSISTANT TREASURER

An Assistant Treasurer may be elected and shall give bond in the same manner as the Treasurer and shall assist the Treasurer as requested and perform the duties of Treasurer in case of absence or disability of the Treasurer.

Section 4.06. REGISTRAR

The Registrar shall be elected by the annual Convention for a term of one year and shall be the custodian of all diocesan documents and records not in the hands of the Bishop or required by Canon to be in the custody of some other officer.

Section 4.07. CHANCELLOR AND VICE CHANCELLORS

The Bishop shall appoint a Chancellor and may appoint such Vice-Chancellors as the Bishop deems necessary, all for a term of one year.

The Chancellor and Vice-Chancellors shall have the duty to, promptly, upon request from the Bishop prepare to the Bishop an opinion of the law or procedure relating to any question of law or legal procedure relating to the affairs of the Diocese, or any Parish.

The Vice-Chancellors shall assist the Chancellor and act under the Chancellor's supervision. In the absence or disability of the Chancellor, the Bishop may designate one of the Vice-Chancellors to act.

Section 4.08. HISTORIOGRAPHER

The Bishop may appoint without necessity for confirmation an Historiographer to serve at the pleasure of the Bishop. As the historian of the Diocese, the Historiographer shall prepare and file with the Registrar accurate records, or copies thereof of important Diocesan events.

Section 4.09. STANDING COMMITTEE

The annual Convention shall elect by ballot a Standing Committee consisting of four members of the clergy and four adult communicants in good standing for no more than two consecutive terms of three years each as provided in Title I, Canon 6.

Section 4.10. DIOCESAN COUNCIL

The annual Convention shall elect members of the Diocesan Council as required under the provisions of Title I, Canon 7.

Section 4.11. NOMINATING COMMITTEE

The Bishop shall appoint members of a Nominating Committee subject to confirmation by the Diocesan Council, to assist in nominating persons for appropriate offices, to be elected by the annual Convention, and to assist in the conduct and tally of elections and voting at a Convention. The term of office for members of the Nominating Committee shall be from the

time of appointment until the conclusion of the next subsequent annual Convention. No one who is a candidate for elective office shall serve on the Nominating Committee.

CANON 5: DEPUTIES TO GENERAL CONVENTION AND PROVINCIAL SYNOD REPRESENTATIVES

Section 5.01. ELECTION OF DEPUTIES AND ALTERNATES TO GENERAL CONVENTION

The annual Convention shall elect by ballot, not later than the next year preceding any General Convention, eight deputies to the General Convention, being four members of the clergy and four adult lay communicants in good standing together with an equal number of alternate deputies having like qualifications.

The four members of the clergy and four adult lay communicants in good standing first receiving a simple majority of the votes cast, shall be declared elected deputies. An election shall then be held for alternate deputies. The four members of the clergy and four adult lay communicants in good standing receiving the highest number of the votes cast, shall be declared elected alternate deputies. Alternate deputies are to be ranked in the order of their election.

Section 5.02. PROVINCIAL SYNOD

Every three years the annual Convention shall elect by ballot one member of the clergy and two adult lay communicants in good standing to serve as Diocesan representatives on the Provincial Synod for a period of three years. At the same time one member of the clergy and two adult lay communicants in good standing shall be elected to serve as alternate Diocesan representatives on the Provincial Synod for a period of three years. One representative, either clerical or lay, must be a deputy to General Convention.

Section 5.03. DUTIES

It shall be the duty of the Deputies to the General Convention and Provincial Synod to notify the Bishop and the Secretary of the Diocesan Convention at least three weeks before the session of the General Convention or Provincial Synod, as the case may be, whether or not they will attend the same; and it shall be the duty of the Bishop and Secretary, in case any deputies decline to attend such session, to notify the alternate deputies consecutively as provided in Canon 5, Section 5.01, above, of the vacancies as they occur, and to see that they are filled accordingly by some alternate deputy. If any vacancy shall occur in the delegation from the Diocese during a session of the General Convention or of the Provincial Synod, the Bishop, with the concurrence of such deputies or representatives as may be present, may appoint to fill such vacancy any person possessing the qualifications necessary for a deputy or representative, with preference to alternates present.

CANON 6: THE STANDING COMMITTEE

Section 6.01. COMPOSITION

In 2013, and every third year thereafter, one member of the clergy and one confirmed adult communicant shall be elected by the annual Convention, for three-year terms. In 2014, and every third year thereafter, one member of the clergy and two confirmed adult communicants shall be elected by the annual Convention, for three-year terms. In 2015, and every third year thereafter, two members of the clergy and one adult communicant in good standing, shall be elected by the annual Convention for terms of three years as terms expire. No person in the ordination process may serve on the Standing Committee.

Vacancies shall be filled at the next annual Convention by election for the remainder of the unexpired term, in addition to the positions elected as provided, above.

Section 6.02. ORGANIZATION

The Standing Committee shall elect at its first meeting following the annual Diocesan Convention a member to be president, a member to be vice-president and a member to be secretary. A majority shall constitute a quorum.

Section 6.03. EXPENSES

All necessary expenses incurred by members of the Standing Committee in attending its sessions shall be paid by the Treasurer from the General Fund.

Section 6.04. POWERS

During the interval between annual Conventions, the Standing Committee, by and with the approval of the Bishop, shall have the power to fill by appointment, any vacancy in any elective or appointive office of the Diocese, except as otherwise provided by Canon. Such appointment will be for the unexpired portion of the term.

Section 6.05. DUTIES

The Standing Committee shall have the duty to:

(a) Call a special Convention when there is no Bishop Diocesan, Bishop Coadjutor or Bishop Suffragan.

(b) Investigate and make a recommendation to the Bishop regarding any matter of difference arising between a member of the clergy and a congregation or Vestry, which matter is first referred to the Standing Committee by the Ecclesiastical Authority. Such recommendation shall be binding upon the Bishop's approval.

(c) Preserve in a book belonging to the Diocese, correct minutes of all proceedings of the Committee which shall be signed by the secretary and countersigned by the president. Such record shall be at all times subject to inspection by the Ecclesiastical Authority and a summary thereof shall be presented at the annual Convention next following.

(d) Within 30 days following a meeting of the Standing Committee, a copy of the minutes of that meeting (whether or not yet approved as presented or corrected) shall be provided to each member of the Diocesan staff and to each member of the Diocesan Council. These minutes may be provided by electronic means.

Section 6.06. RECUSAL

The clergy or any member of a Parish involved in any matter pending before the Standing Committee shall recuse himself or herself from discussion and vote on that matter. In addition, no clergy or lay person who his connected to a Parish implementing a plan to restore congregational health or connected to a congregation undergoing a dissolution will be eligible for election/appointment to Standing Committee and if that designation occurs during a member's term their resignation would be required.

CANON 7: THE DIOCESAN COUNCIL

Section 7.01. COMPOSITION

The Diocesan Council shall be composed of the Bishop, a designated youth representative, four persons selected by each Mission Region and three persons nominated by the Bishop and approved by Council. The Bishop shall have the authority to appoint the designated youth representative on an annual basis or as vacancies arise. The representatives from each Mission Region must include at least one lay person and at least one member of the Clergy. Representatives of Mission Regions may serve up to two consecutive terms. If a Mission Region certifies to the Bishop that it is unable to fill their allotted positions, the Bishop shall fill the position with the approval of Standing Committee. If a Mission Representative is elected to serve an unexpired term that person may then serve two consecutive full terms following the completion of the unexpired term. Any appointed members serve a one year term and may be reappointed for up to three terms. The Chancellor, the Canon Missioners, the Chair of the Finance Committee, the Clerk of Council (unless a member of Council), the Bishop's Assistant for Finance and the Treasurer and the Assistant Treasurer shall be ex-officio members of the Diocesan Council without vote.

Section 7.02. ELECTION

Each year at the meeting preceding Diocesan convention, each Mission Region will submit to Convention the names of members to fill all expiring terms and any open but unexpired terms. Diocesan Convention shall approve the members submitted by each Mission Region.

Section 7.03. OFFICERS

The Bishop shall normally serve as presiding officer. The Council shall elect from its ranks annually a Vice President. A secretary, who need not be a member of the Diocesan Council, may be likewise elected.

Section 7.04. FUNCTION

The Diocesan Council shall function as the executive committee of the Diocese acting with the authority of and in the name of the Diocese between meetings of the annual Convention and in accordance with such direction and limits as may be set forth by the Diocese in its own articles of incorporation or by such resolutions or canons that may be passed by the Convention.

Section 7.05. DUTIES OF THE DIOCESAN COUNCIL

The Diocesan Council shall:

(a) Meet on sufficient occasions during the year on call of the presiding officer to enable it to carry out its function and duties;

(b) Have general supervisory oversight over the work of all commissions of the Diocese;

(c) Develop strategy, policy and work in the name of the Diocese in conjunction with the Bishop and all other agencies of the Diocese;

(d) Receive, control, and expend through the Treasurer, all monies of the General Fund, for purposes designated by the Budget adopted by Convention, and as permitted and required by Title I, Canon 9 of these Canons; and

(e) Submit a written annual report of its work to the annual Convention.

(f) The Diocesan Council shall maintain, or cause to be maintained, a system of retirement pensions for all lay employees of the Diocese, commensurate with the Canons and directives of the General Convention. All such programs shall be reviewed annually in light of changing economic conditions and needs of such employees. The Diocese also recognizes the right of lay employees to enter into individual or collective bargaining with the Diocese on any economic issue.

(g) Within 30 days following a meeting of the Diocesan Council, a copy of the minutes of that meeting (whether or not yet approved as presented or corrected) shall be provided to each member of the Diocesan staff and to each member of the Standing Committee. These minutes may be provided by electronic means.

Section 7.06. COUNCIL MEETINGS TO BE OPEN AND PUBLIC

All meetings of the Council shall be held in open session, with time, date, and place being announced by appropriate means to the entire Diocese, and members thereof, clerical and lay, shall be invited and urged to attend such meetings. Executive sessions shall be permitted upon two-thirds vote of all Council members present and voting for the considerations of personnel matters. The ultimate resolution of such personnel matters shall be reported and ratified by vote in open meeting.

CANON 8: MISSION REGIONS

Section 8.01. COMPOSITION

The Diocese shall be divided into three Mission Regions, the same to be determined by the Standing Committee.

Section 8.02. PURPOSE AND POWERS

The Mission Region provides a vehicle for Parishes and new congregations in proximity to each other to undertake projects and activities in furtherance of their respective missions and the mission and vision of the Diocese, which would be too difficult for one Parish or new congregation to undertake alone, or which would so drain the resources of one Parish or new congregation as to make the effort impracticable.

The Mission Region shall be responsible for carrying out the following duties:

(a) Promoting and aiding in the implementation of cooperative ministries among the congregations in the Region;

(b) Identifying and communicating program and ministry ideas to the appropriate Diocesan Commission;

(c) Aiding Diocesan commissions in the implementation of programs and ministries in the Region;

(d) Raising funds as necessary to its activities;

(e) Providing a forum for discussion of upcoming Diocesan Convention business and disseminating and responding to Diocesan communications relating to Convention concerns;

(f) Proposing names as required for membership on Diocesan Commissions and Council; and

(g) Performing such other duties assigned by these Canons or the Constitution.

Section 8.03. MEMBERS

The clergy and members of the congregations in the region are members of the Mission Region.

Section 8.04. MEETINGS

Each Mission Region shall meet not less than three times each year and such additional times as may be deemed necessary by the Missioner or at the request of not less than four members of the Region.

Section 8.05. OFFICERS

Each Mission Region shall elect the following officers:

(a) A Chairperson shall be the Canon Missioner. The Chairperson shall preside at meetings of the Mission Region, and shall carry out such duties and communications as the Mission Region or the Bishop may assign.

(b) A Vice-Chairperson, who shall preside at convocation meetings in the absence of the Chairperson.

(c) Either the Chairperson or Vice-Chairperson must be a member of the clergy.

(d) A Secretary and a Treasurer, who each shall perform the customary duties of their respective offices.

Diocesan Council members from the Mission Region shall be nominated by the members of the Mission Region, as provided by Canon 7, at a meeting held no more than 60 days, and no less than 30 days, prior to the annual Convention.

CANON 9: THE GENERAL FUND

Section 9.01. PURPOSE

The General Fund shall include all unrestricted funds of the Diocese and shall be used for the share of the Diocese in the General Church Program of The Episcopal Church as adopted by the General Convention, support of Diocesan Parishes, new congregations and Commissions, the stipend and expenses of the Bishop and the salaries and expenses of the Diocese.

Section 9.02. SOURCES, RECEIPTS AND DISBURSEMENTS

The General Fund shall be derived from income from designated and unrestricted endowment and trust funds and from the apportionments of each congregation. All monies due or accruing to the Fund shall be paid to the Treasurer, who shall pay no monies therefrom which have not been provided for by the Budget adopted at the annual Convention, unless authorized to do so by the Diocesan Council, or by the Bishop for expenditures under $1,000.

Section 9.03. PARISH APPORTIONMENT

The Program and Budget of the Diocese, including its obligation to The Episcopal Church, shall be funded by an annual apportionment of each Parish based on its Net Operating Income. This income shall be the total operating income as shown on the most current annual Parochial Report.

A Parish may use as its Net Operating Income for this formula the average of the last three Parochial Reports, or the most recent Parochial Report, whichever is the smaller amount.

A Parish may then deduct from this amount the actual dollar amount of apportionment funds paid to the Diocese in the preceding year. This is the figure upon which the new apportionment is to be based.

The apportionment formula is as follows:

10% of the first $75,000 ($1 - $75,000)
12% of the second $75,000 ($75,001 - $150,000)
14% of the third $75,000 ($150,001 - $225,000)
16% of any amount above $225,001

This apportionment shall be paid in twelve equal monthly payments.

The Diocesan office will inform each Parish of its apportionment in a timely manner. Each Parish will then have a maximum of 45 days to respond in writing. If a Parish believes itself to be unable to meet the apportionment it must indicate in writing why that is so. The Apportionment Review Committee will then contact the Rector/Senior Warden to meet with them and to connect them with those groups in the Diocese that are prepared to offer assistance.

If a Parish will not work in good faith with the Apportionment Review Committee and the supportive groups within the Diocese, with the goal of strengthening the Parish and meeting the apportionment goal, the Bishop and the Standing Committee will have the option of prescribing a course of action for the health of the Parish, pursuant to Title II, Canon 31.

Section 9.04. BUDGET

The Diocesan Council shall:

(a) Be responsible for submitting to the annual Convention for approval, a balanced budget incorporating all the work and program of the Diocese. The proposed budget shall be distributed to all Convention delegates at least thirty (30) days prior to the annual Convention.

(b) Advise the National Executive Council of the amount the Diocese intends to pay towards the National Church Program that year; and

(c) Have the authority during the course of the year to modify the budget approved by the annual Convention in any manner it deems necessary to balance expenditures with anticipated resources.

Section 9.05. BUDGET PROCEDURE

(a) Six months before the commencement of the next Diocesan Convention, the Diocesan Council will ask the chairs of each Diocesan commission to prepare a proposed budget for the following year and submit it to the Diocesan Council not later than four months before the commencement of the next Diocesan Convention.

(b) A proposed budget will be prepared listing all proposed receipts and expenditures and shall be presented to the Diocesan Council not later than two months before the commencement of the next Diocesan Convention.

(c) The Diocesan Council will review the report and initiate the process of balancing the proposed expenditures with the forecasted receipts. Not later than one month before the commencement of the next Diocesan Convention, the Diocesan Council will approve a proposed balanced budget for the following year. The proposed budget will be distributed to all Convention delegates at least thirty (30) days prior to the annual Convention.

CANON 10: THE COMMITTEE ON CONSTITUTION AND CANONS

Section 10.01. Committee on Constitution and Canons

The Bishop shall appoint a Committee on Constitution and Canons to consist of such number of persons, clergy or lay, as the Bishop shall deem necessary. The Chancellor or a Vice-Chancellor shall serve as chairperson of the Committee. The members of the Committee shall serve a term commencing upon appointment by the Bishop and running through the close of the next subsequent annual Convention or until their successors are appointed.

Section 10.02. DUTIES

The Committee on Constitution and Canons shall review proposed revisions to the Constitution and Canons of the Diocese referred to it by the Bishop. Such review shall be to determine the canonical propriety of said revision and the compatibility of the proposed revision with the Constitution and Canons of the General Convention, the Constitution and Canons of the Diocese and any other documents that may be relevant. The Committee shall report the results of such review to the Bishop, the Diocesan Council, and the annual Convention.

CANON 11: ELECTION OF A BISHOP

Section 11.01. ELECTION OF A BISHOP

The election of a Bishop Diocesan, or of a Bishop Coadjutor, or of a Bishop Suffragan, shall be made at a Convention, either annual or special, as described by these Canons. If such election occurs at an annual Convention it shall be required that notice of the Convention include notice of the intent to elect such a Bishop, and that such notice be distributed to Convention delegates not less than 60 days prior to the Convention. Notification of a special Convention called for the purpose of electing a Bishop Diocesan, a Bishop Coadjutor, or a Bishop Suffragan shall be distributed to Convention delegates not less than 60 days prior to the special Convention, and such notice shall state the purpose of the special Convention.

Section 11.02. PROCEDURE

The election of a Bishop Diocesan, or of a Bishop Coadjutor, or of a Bishop Suffragan shall be in the following manner:

(a) Nominations shall only be made as follows to the Standing Committee no later than the date specified by the Standing Committee:

(1) By the Search Committee appointed as directed by the Standing Committee; and

(2) By petition, the form of which shall be determined by the Standing Committee, signed by no less than three (3) clergy members canonically resident in no less than two (2) Mission Regions and by no less than three (3) lay members in good standing of at least two (2) Mission Regions. The person nominated must indicate such person's willingness to be nominated and consent in writing to the normal background checks no later than the date specified by the Standing Committee.

(b) All nominees whose nomination has been made as set forth in subsection (a) hereof shall be eligible for election and no nominations may be made from the floor of Convention.

(c) The members of clergy and lay delegates to Convention shall vote by ballot and by orders. A concurrence of a majority of both orders shall be necessary for an election. If in either order less than 60 percent of all entitled to vote are present, two-thirds of the votes of those present in that order shall be necessary to determine the election. Absent non-stipendiary members of the clergy and absent retired members of the clergy shall not be counted in determining the majority of clergy.

Section 11.03. FAILURE TO ELECT

In case of failure to elect upon any ballot as herein provided, the Convention shall continue to ballot until an election occurs or the Convention adjourns.

CANON 12: THE BISHOP COADJUTOR

The Bishop Coadjutor, if any, shall be *ex-officio* a member of all Diocesan commissions of which the Bishop Diocesan is *ex-officio* a member. In the absence or disability of the Bishop Diocesan to act, the Bishop Coadjutor shall possess all the powers and perform all the duties of the Bishop Diocesan prescribed in these Canons.

CANON 13: COMMITTEES

The Bishop may establish committees whose duties, membership and duration shall be designated from time to time by the Bishop with the advice and consent of Diocesan Council.

CANON 14: COMMISSION ON MINISTRY

The Commission on Ministry shall be appointed by the Bishop. The Commission shall consist of nine members appointed for three year terms from members of the laity, deacons, and presbyters. The duties of the Commission will be to advise and assist the Bishop in the implementation of Title III of the Canons of the General Convention. No person in the ordination process may serve on the Commission on Ministry.

CANON 15 - 19: RESERVED

TITLE II PARISHES

CANON 20: EQUALITY OF CONGREGATIONS

Section 20.01. EQUALITY OF CONGREGATIONS

All congregations, financially self-supporting or otherwise, shall be equal with respect to the Canons of the Diocese.

CANON 21: ESTABLISHMENT OF NEW CONGREGATIONS

Section 21.01. ESTABLISHMENT OF NEW CONGREGATIONS

(a) On recommendation of the Bishop and Standing Committee, the Diocesan Council may establish a new congregation, subject, however, to the provisions of Section 21.04 of this Canon.

(b) If the gathering place for worship of the proposed new congregation be within ten miles of the church of any Parish in union with the Convention, the Bishop and Diocesan Council shall consult with the Rector and Vestry of each such Parish church before establishing the new congregation.

(c) An application for establishment of a new congregation shall be made in writing to the Bishop which application shall begin with a letter addressed to the Bishop, in form substantially saying:

"We, the subscribers, baptized, adult persons, residents of the town of _____ in the State of Michigan, request, pursuant to Title II, Canon 21, Section 21.01 of the Canons of the Diocese of Western Michigan that a new congregation be established at _____, to be known as _____. We promise obedience to the Constitution and Canons of the General Convention of The Episcopal Church, the Constitution and Canons of the Diocese of Western Michigan, and to the Bishop Diocesan of the Diocese of Western Michigan."

The following items shall be attached to the application:

(1) A description of the group (which may be identified by native language, ethnic group, geographic location, or other affinity) to be served by the proposed new congregation;

(2) An explanation of the reasons why such group would be better served by the establishment of the proposed new congregation than by other existing parishes;

(3) A description of the physical facilities to be used by the proposed new congregation;

(4) A description of the arrangements proposed for taking charge of the spiritual affairs of the proposed new congregation;

(5) A description of the relationship contemplated between the sponsoring Parish or Diocese and the proposed new congregation, including the arrangements for supervision of the financial affairs of the new congregation and any expectations for eventual self- sufficiency of the proposed new congregation; and,

(6) An affirmation to the effect that the proposed new congregation will, if established, obey the Constitution and Canons of the General Convention of The Episcopal Church in the United States of America, the Constitution and Canons of the Diocese of Western Michigan, and the Bishop Diocesan of the Diocese of Western Michigan.

The application shall include any additional information the Bishop may require to determine the need, and the adequacy of the arrangements, for such proposed new congregation.

(d) After establishment of a new congregation under this Canon, the Bishop shall appoint a presbyter to have charge of the spiritual affairs of the new congregation under direction of the Bishop. The presbyter's salary shall be fixed within the approved Diocesan guidelines for clergy compensation. A new congregation established under this Canon shall not place itself under the charge, temporary or permanent, of any person without the consent of the Bishop Diocesan.

(e) The Bishop and presbyter shall appoint an advisory committee from the members of the new congregation to serve until the new congregation holds its first annual meeting.

(f) A meeting of the new congregation shall be held annually during the month of January on such date as may be fixed by the by-laws. The first annual meeting will be set by the Bishop or by the presbyter in charge of the congregation. The first annual meeting shall adopt by- laws; and the first and each subsequent annual meeting shall be held for the following purposes:

(1) The election of wardens, secretary, treasurer and not more than six other persons having the qualifications of voters, to constitute the advisory committee;

(2) Consideration and action upon recommendations of the presbyter or advisory committee concerning secular business of the new congregation;

(3) Reception of reports;

(4) Consideration and action upon proposed amendments to the by-laws; and,

(5) If admitted into union with the convention, election of the authorized number of lay delegates to represent the new congregation at the convention, as determined according to Title I, Canon 3, Section 3.04 of these Canons, together with the same number of alternates. Delegates must have the same qualifications as prescribed

for delegates from parishes. If not so elected, the advisory committee may appoint delegates and alternates to the convention.

(g) Special meetings of the new congregation may be called by the presbyter or advisory committee for purposes to be stated in the notice of the meeting.

(h) Notices of the annual and all special meetings shall be given in accordance with Title II, Canon 22, Sections 22.03 and 22.04 of these Canons.

(i) Qualification of voters is the same as provided in Title II, Canon 22, Section 22.05, of these Canons.

(j) The wardens, secretary and treasurer shall have such duties as conform as nearly as practicable to those of the corresponding officers of a Parish. The treasurer shall give bond under the circumstances and in the form required by the Canons of this Diocese and of the General Convention, satisfactory to the Bishop and Standing Committee.

(k) New congregations shall be incorporated under the Michigan statutes permitting incorporation of Protestant Episcopal Churches when they show evidence of being financially self-sufficient for at least one year. Title to all personal property given to or purchased by or for new congregations established under this Canon, and to monies contributed for operating purposes, shall vest in the treasurer of the new congregation and his or her successors in office, in trust for the new congregation, subject to use by the presbyter in his or her canonical administration.

(l) The Diocese of Western Michigan shall hold title to all real estate given to, or purchased by or for, a new congregation established under this Canon. Donations of real estate for the benefit of a new congregation shall not be accepted except by consent of the Bishop and the Standing Committee of the Diocese of Western Michigan, as provided by Title I, Canon 2, Section 2.02 of these Canons.

(m) Title to endowments and invested funds given or bequeathed for the use or benefit of a new congregation established under this Canon shall be held by the Diocese of Western Michigan, which shall administer the same for the purposes directed in the instrument of gift or trust, unless some other Trustee shall be named in such instrument and shall accept the trust.

(n) When a new congregation is replaced by an incorporated Parish, such Parish shall be deemed the lawful successor of the new congregation and all property held in trust for the new congregation shall be conveyed to such Parish, provided such conveyance is not inhibited by the provisions of the trust, and provided further, that the provisions of Title I, Canon 2, Section 2.02 of these Canons are complied with.

(o) Before any church, Parish house or other buildings shall be built by such a new congregation, or structural alterations made to any existing building, satisfactory drawings thereof shall be submitted to and approved by the Bishop Diocesan and the Standing Committee of the Diocese of Western Michigan, in conformance with Title I, Canon 2, Section 2.02 of these Canons.

Section 21.02. SUPERVISION OF FINANCIAL AFFAIRS

The financial affairs of the new congregation shall be supervised by the Diocese.

Section 21.03. DISSOLUTION OF A NEW CONGREGATION

On recommendation of the Bishop, the Diocesan Council may close a new congregation after giving the officers of the new congregation a reasonable opportunity to be heard. In such case, the real estate and invested funds held by, or for, the Diocese of Western Michigan for the benefit of such new congregation shall be administered for the benefit of the evangelical work of the Diocese and may be leased, mortgaged, sold or otherwise disposed of, with the advice and consent of the Bishop and the Standing Committee, as provided by Title I, Canon 2, Section 2.03 of these Canons. All personal property and funds in the custody of the new congregation treasurer shall be turned over, in such case, to the Treasurer of the Diocese, to be used under the direction of the Bishop and Diocesan Council for the evangelical work of the Diocese.

Section 21.04. CHANGE FROM NEW CONGREGATION STATUS TO PARISH STATUS

(a) To become a Parish, a new congregation must make an application to the Bishop, which application shall begin with a letter addressed to the Bishop, in form substantially saying:

"We, the subscribers, baptized, adult persons, members of the new congregation of _____, request that the status of the new congregation be changed to a Parish, to be known as _____. We continue to promise obedience to the Constitution and Canons of the General Convention of The Episcopal Church, the Constitution and Canons of the Diocese of Western Michigan, and to the Bishop Diocesan of the Diocese of Western Michigan."

The application shall provide the basis by which:

(1) A need exists for the establishment of such a Parish;

(2) A building has been acquired, or the use of a building provided. The following items shall be attached to the application:

(3) A copy of the congregation's proposed, or existing, Articles of Incorporation;

(4) The congregation's application for, or acceptance of, incorporation under the laws of the State of Michigan permitting incorporation as an Ecclesiastical corporation for Protestant Episcopal Churches;

(5) A copy of the congregation's by-laws;

(6) Documentation establishing the congregation's tax-exempt status;

(7) A copy of the previous year's audited financial records of the congregation; and,

(8) Any additional information the Bishop may require.

(b) If the location of the place of worship of the proposed Parish is within ten miles of the church of any existing congregation in union with this Diocese, the Bishop and the Diocesan Council shall obtain the consent from the Rector and Vestry of each such existing congregation before approving the change of status of the new congregation to a Parish.

(c) The Bishop shall consult with the Diocesan Council and the Standing Committee regarding the merits of the application, and then shall submit a recommendation to Convention.

Section 21.05. APPROVAL BY CONVENTION

If, after the recommendation required by Title II, Canon 21.04 (c), above, the next annual Convention of the Diocese shall approve the same, the congregation shall thereby be admitted into union with the Diocese. If such recommendation shall not receive approval of the annual Convention of the Diocese, the annual Convention shall by resolution determine the disposition of the new congregation.

Section 21.06. CERTIFICATE OF UNION

Upon approval of the recommendation by the annual Convention, as provided by Title II, Canon 21, Section 21.04, above, the Bishop Diocesan shall issue a certificate of union. The Bishop's certificate that said union has been effected shall be retroactive to the close of the Convention which approved the recommendation, and shall be final and conclusive.

CANON 22: PARISH MEETINGS

Section 22.01. BY-LAWS

All by-laws adopted by any congregation shall be consistent with the Constitution and Canons of the General Convention and the Constitution and Canons of this Diocese.

Section 22.02. ANNUAL PARISH MEETING

A Parish meeting shall be held annually in each congregation within the month of January. Such annual meeting shall:

a. Elect qualified adult communicants in good standing to the Vestry;

b. Consider and act upon recommendations of the Vestry concerning secular business of the Parish;

c. Receive reports of the Rector, secretary, treasurer, and other officers of the Parish and of its organizations; and,

d. Consider and act upon proposed amendments, if any, to the articles of incorporation or by- laws of the Parish.

Section 22.03. NOTICE OF ANNUAL MEETING

Notice of the date, hour and place of holding each annual meeting shall be given at a regular service on each of the two Sundays next preceding such meeting, by the Rector, or in the Rector's absence by a warden; or notice may be given with like effect by such publishing, posting, mailing or electronic means as the Vestry may direct.

Section 22.04. SPECIAL PARISH MEETING

Special meetings of a congregation may be called by:

(a) The Rector; or,

(b) Written consent of two-thirds of the Vestry; or,

(c) Written consents of a majority of the Vestry if the Rector approves; or,

(d) Consent of a majority of the Vestry if there be no Rector.

Notice of a special meeting shall state the purpose or purposes thereof and may be given in the same manner as notice of an annual Parish meeting.

Section 22.05. QUALIFICATIONS OF VOTERS

At all Parish meetings, whether annual or special, the right to vote shall be limited to baptized persons:

(a) not less than 16 years of age,

(b) whose baptisms have been duly recorded in said Parish,

(c) who for a period of not less than six months preceding have been regular worshiper in the Parish; and,

(d) who for not less than six months preceding have been bona fide regular contributors to its support, according to the method used in the Parish. Physical disability or absence from the Parish during the preceding six months shall not disqualify an otherwise qualified voter.

Before any vote has been taken, the presiding officer shall state to the persons present the foregoing qualifications of voters. The Rector and the wardens shall be judges of the qualifications of voters. If a warden is absent, the presiding officer may appoint a member of the Vestry to act in place of the warden. The judges of an election shall not permit an unqualified person to vote. Proxy ballots shall not be accepted.

Section 22.06. ORDER OF BUSINESS

Unless otherwise provided by by-law or resolution, the presiding officer shall control the order of business. The presiding officer may appoint tellers and other assistants. The secretary shall preserve a list of the names of all persons who voted for Vestry members. The list shall be signed by the judges of election.

CANON 23: THE VESTRY: ITS OFFICERS, MEETINGS, AND DUTIES

Section 23.01. ORGANIZATION OF VESTRY

The Vestry of a Parish shall consist of not less than six nor more than fifteen lay members. Within these limits the number may be fixed by by-law. Members of the Vestry shall be adult communicants in good standing as defined by Title I, Canon 17, Sections 2 and 3 of the General Convention, and shall be qualified voters of the congregation. Vestry members may not be a Spouse, Parent, Sibling, or Child of or reside in the same household as the Rector or any other Vestry member.

The by-laws of a Parish shall provide for multi-year Vestry terms, arranged so that an equal number of members are elected each year. An election of Vestry members shall be preceded by nomination. No voter shall vote for more candidates than the total number of Vestry members to be elected. A majority of all votes cast shall be necessary to elect.

Immediately following the annual meeting (unless otherwise provided by by-law) the newly constituted Vestry shall meet and elect for a term of one year:

(a) a senior warden,

(b) a junior warden,

(c) a secretary,

(d) a treasurer, and

(e) the authorized number of lay delegates to represent the Parish at the Convention, as determined according to Title I, Canon 3, Section 3.04, together with the same number of alternates.

The secretary and the treasurer shall be *ex-officio* the secretary and treasurer, respectively, of the Parish, unless otherwise provided by by-law.

Section 23.02. QUALIFICATIONS

The wardens shall be Vestry members. The secretary and treasurer shall be qualified voters of the congregation who may or may not be members of the Vestry. The delegates and alternates shall be qualified voters of the congregation.

Section 23.03. VESTRY MEETINGS

Unless otherwise provided by by-law, the Vestry shall meet as often as once in each month in ten months of the calendar year at such day, place and hour as shall be fixed by resolution or bylaw. Notice of a stated meeting, although desirable, shall not be legally necessary. The Rector, when present, shall preside at all Vestry meetings but shall have no vote except in the case of a tie. In the Rector's absence from the meeting, one of the wardens, if present, shall preside. In the case of a vacant cure, the Senior Warden, if present, shall preside, and if the Senior Warden not be present, the Junior Warden shall preside.

A special meeting of the Vestry may be called by the Rector at any time, upon notice given in any practical manner to each Vestry member. The purpose of the special meeting shall be stated as a part of the notice. In a vacancy of the Rectorate, a special meeting may be called by either warden at any time upon notice given in any practical manner to each other Vestry member.

No notice of any meeting at which the Rector and all members of the Vestry are present shall be necessary. Any or all members may waive notice in writing either before or after the meeting has been held. All waivers of notice shall be kept on file by the secretary.

A majority of the members of the Vestry, not counting the Rector, when duly assembled, shall constitute a quorum. Less than a quorum may transact business if there be no objections, but any business so transacted is subject to ratification at the next regular meeting of the Vestry.

Section 23.04 DUTIES OF VESTRY

The Vestry shall have the duty to:

(a) Be helpful to the Rector;

(b) Prepare, approve and present a balanced budget to the Annual Meeting of the Parish;

(c) Employ and fix the compensation of all employees of the Parish provided that no person shall be employed or retained except by and with the approval of the Rector;

(d) Provide maintenance for the Rector and such compensation as shall be agreed upon for employees of the Parish;

(e) Elect and call a Rector in conformance with Title III, Canon 9, Section 3(a) of the Canons of the General Convention, and under procedures adopted by the Bishop Diocesan, in consultation with the Standing Committee;

(f) Have charge, care and management of all property and temporal affairs of the Parish;

(g) Supervise collection, control, and disbursement of all monies held by or for the benefit of the Parish;

(h) Keep all buildings, structures, and tangible property of the Parish adequately insured against loss;

(i) Assure that all treasurers and custodians of funds (other than banking institutions) obtained, contributed, held, or accumulated for the benefit of the Parish, or of any of its activities, shall be adequately bonded;

(j) Assure that all treasurers and custodians of funds maintain records sufficient to enable proper accounting and audits;

(k) Deposit all trust funds, permanent funds and all securities, which come under their control, using the Parish name and tax identification number, with a national bank, a state bank, the Diocesan Council pursuant to Title I, Canon 2, Section 2.05, or some

other custodian approved by the Finance Committee of the Diocese, under a suitable deposit arrangement requiring not less than two signatures upon all checks and orders for withdrawals;

(l) Manage trust funds and income therefrom strictly in accordance with the lawful express requirements of the instruments creating the trust;

(m) Sell and convey unneeded personal property of the Parish when deemed for the best interest of the Parish to do so;

(n) Pursuant to a vote of the congregation, at a meeting duly called, sell and convey real estate of the Parish, when deemed for the best interest of the Parish to do so, but only pursuant to written consent of the Bishop and Standing Committee first obtained. Acting within the limitations upon debt contained in Title II, Canon 27, and in compliance with the requirements of that Canon, to do any of the following acts, namely to:

(1) Cause necessary repairs to be made upon the Parish property;

(2) purchase necessary furnishings and equipment;

(3) mortgage real estate when deemed for the best interest of the Parish to do so, but only pursuant to written consent of the Bishop and the Standing Committee first obtained; and

(4) acquire appropriate real estate; and, on real estate held in fee simple by the Parish pursuant to consent of the congregation given at a Parish meeting duly called and held, take down and remove or alter existing buildings, and erect, construct, or reconstruct, a church building, chapel, Rectory, and/or Parish house. This subsection shall not be held to apply to alterations which do not involve major structural changes to the buildings in question.

The foregoing duties of the Vestry shall always be subject to the authority of the Rector to direct the spiritual activities of the congregation subject to the Bishop or other person acting as the Ecclesiastical Authority and to Canon Law and the Rector's right to possession, use and control of the property of the Parish as provided by the canons of the General Convention of The Episcopal Church.

Section 23.05. DUTIES OF OFFICERS OF VESTRY

a. WARDENS. In case the congregation be without a Rector, the wardens shall preside at meetings of the congregation and of the Vestry, shall provide public worship as circumstances shall permit, and shall perform the duties required by Title I, Canon 6 and Title III, Canon 9 of the Canons of the General Convention.

b. SECRETARY. The secretary shall keep correct minutes of all meetings of the Vestry and of the congregation and shall sign the same and deliver the same to his or her successor. The records of the congregation and the Vestry at all times shall be safely

and permanently kept open to inspection by the Bishop, the Rector, and all qualified voters of the congregation. The secretary shall be the custodian of the bond of the treasurer. The secretary shall assure that proper timely notice is given of all meetings of the Vestry and of the congregation.

c. TREASURER. The treasurer shall follow the Episcopal Church Manual of Business Methods in Church Affairs. The treasurer shall report to the Vestry at each stated meeting thereof, and whenever requested, all receipts and disbursements and the condition of the all Parish cash and investment balances. The treasurer shall make a like report to the annual Parish meeting. The treasurer shall give bond for the faithful performance of his or her duties. The treasurer's records shall be and open to inspection by the Bishop and shall be kept at the Parish office and promptly delivered to the treasurer's successor in office.

CANON 24: REGISTERS AND PAROCHIAL REPORTS

Section 24.01. DUTIES

It shall be the duty of all Rectors, vicars, and other clergy of the Diocese to record in the appropriate register all the official acts listed in Title I, Canon 6, of the Canons of the General Convention. In the case of a vacant cure, the senior warden shall perform this duty, and if the senior warden should not be available, the junior warden shall perform this duty.

Section 24.02. REPORTS

A report of every congregation and of every bishop, presbyter, and deacon not officially attached to a congregation shall be prepared annually as required by and in the manner set forth by Title I, Canon 6, of the Canons of the General Convention.

CANON 25: FINANCIAL ASSISTANCE TO CONGREGATIONS

Section 25.01. ELIGIBILITY

Any congregation in union with the Diocese may make application for financial assistance from the Diocese. Such application shall be made through the Diocesan Council or such committee(s) as it may designate.

Section 25.02. PROCEDURE

The Diocesan Council shall establish and administer a process whereby congregations may apply for financial assistance from the Diocese. Such process shall be communicated to all congregations in the Diocese in an appropriate and timely manner and shall include, but is not limited to, the following:

(a) Dates and deadlines for applications and/or steps within the application process.

(b) Method of reporting from the applying congregation of:

(1) Conduct of a stewardship program for the support of the congregation and the Diocese;

(2) Activity and worship in the congregation in the preceding year; and,

(3) Expectations for the future of the congregation.

(c) Method of accountability for use of assistance fund.

Section 25.03. FINAL APPROVAL

The final decision on all financial assistance grants shall be made by the Diocesan Council.

Section 25.04. FUNDING

Funds for financial aid to congregations within the Diocese shall be identified by the annual Convention as a part of the budget of the General Fund as described in Title I, Canon 9, Section 9.04, in a line item entitled, "Aid to Congregations." In any given fiscal year, the total of all financial assistance granted by the Diocesan Council shall not exceed the total of the amount allocated for "Aid to Congregations."

CANON 26: DISSOLUTION OF CONGREGATIONS

Section 26.01. DISSOLUTION

Whenever any congregation shall choose to dissolve or be determined by the Bishop and Diocesan Council to be virtually extinct, the Convention may exclude it from union with the Diocese, but without prejudice to subsequent application for readmission in the manner prescribed by Title II, Canon 21 for original admission.

In such case the real estate and invested funds that may be held by the Diocese or the Bishop Whittemore Foundation for the benefit of such congregation shall be administered for the benefit of the general missionary work of the Diocese and may be leased, mortgaged, sold or otherwise disposed of by the Bishop and the Diocesan Council pursuant to Title II, Canon 21, Section 21.03 of these Canons and pursuant to the requirements of the Canons of the General Convention. All personal property and funds in the custody of the treasurer of the congregation shall be turned over to the Treasurer, to be used under the direction of the Bishop and the Diocesan Council for the general missionary work of the Diocese.

Section 26.02. REORGANIZATION OF CONGREGATION AFTER DISSOLUTION

A dissolved congregation may be reorganized by the same procedure prescribed in these Canons. After reorganization has been completed, the reorganized congregation shall be entitled to the accrued investment funds derived from the predecessor congregation. The invested funds then continuing to be held by the Diocesan Council, and not in the meantime disposed of, shall be held for the benefit of such reorganized congregation, subject to such encumbrances as may have been created thereon in the meantime by action of the Diocesan Council or otherwise.

CANON 27: CONGREGATIONAL INDEBTEDNESS

Section 27.01. LIMITATIONS ON DEBT

No indebtedness shall be incurred by any congregation without the approval of both the Bishop and the Standing Committee, except:

(a) Indebtedness for permanent improvements, replacement or additions to real estate or equipment, where the amount of such indebtedness, plus indebtedness of every kind already existing, shall not exceed 150% of the average annual receipts of such congregation during the three years then last preceding;

(b) Indebtedness for current expenses where the amount of such indebtedness, plus all indebtedness heretofore incurred for current expenses and still existing, shall not exceed 20% of the total current receipts of such congregation during the preceding fiscal year; and the payment of all such indebtedness shall be provided for in the budget of the next ensuing fiscal year with reasonable expectation of its payment out of the receipts of the next two years; or,

(c) Indebtedness incurred to finance existing loans, provided the total amount thereof be not increased.

In computing receipts under subsections (a) and (b) hereof, income from endowments, devises and bequests available for general purposes may be included; but principal and income not available for payment of debts, and receipts earmarked for non-parochial purposes shall be excluded.

Section 27.02. PLAN OF PAYMENT REQUIRED

Where approval of proposed indebtedness is required, the application therefore shall be accompanied by a plan of payment, and such approval shall not be granted in any event unless such a plan is deemed feasible by the Bishop and the Standing Committee.

Section 27.03. EXISTING INDEBTEDNESS

This Canon shall not apply to the refinancing of existing indebtedness, provided the total existing indebtedness is not increased.

CANON 28: AUDITS and INSURANCE

Section 28.01. AUDITS

As soon as may be after the close of each fiscal year, the accounts of all officers handling funds, whether of the Diocese or its auxiliaries, or of congregations and their auxiliaries, shall be audited in accordance with the Episcopal Church Manual of Business Methods in Church Affairs.

Copies of audit reports shall be submitted to the Diocesan Treasurer for review by September 1 following the close of the fiscal year.

Section 28.02. INSURANCE

(a) All buildings and tangible personal property, owned or held in trust by the Diocese or by any congregation, shall be insured under the Diocesan Insurance program; including but not limited to hazards to be insured against, amount and sufficiency of such insurance for each congregation, and insurance carrier or carriers, shall be as prescribed by the Diocesan Council. Each congregation insured under this program shall pay to the Treasurer its fair share of the cost of the total Insurance program, which fair share shall be determined by the Diocesan Council.

(b) Each congregation shall provide health insurance through the denominational health plan for all eligible clergy and eligible lay employees.

CANON 29: MINIMUM COMPENSATION STANDARDS FOR CLERGY

Section 29.01. ESTABLISHMENT OF STANDARDS

There is hereby established a minimum standard of compensation for all members of the clergy exercising a full-time, parochial, stipendiary ministry in the Diocese of Western Michigan. Compensation is defined as stipend, housing/housing allowance, and utilities.

The establishment of a minimum compensation standard is not meant to prevent a congregation from providing additional forms of compensation.

Section 29.02. ADOPTION, SCALE

The Diocesan Council shall adopt an annual Clergy compensation minimum for the next ensuing fiscal year. For those who have been ordained more than one year, the minimum standard shall be increased by an amount, to be determined by the Diocesan Council, for each year of ordained ministry beyond the first year to a limit of ten years.

Section 29.03. FAILURE TO COMPENSATE

In any case where compensation provided is below the minimum standard the position will be regarded as less than a full-time position. The Bishop, or the Bishop's representative, shall assist in negotiating a mutually agreeable solution.

Section 29.04. OTHER BENEFITS

Consideration for adequate reimbursement shall also be given by vestries in the areas of:

(a) Reimbursement of automobile expenses;

(b) Continuing education; and

(c) Other professional expenses.

CANON 30: PASTORAL RELATIONSHIPS

Section 30.01.

Except upon mandatory resignation by reason of age, a Rector may not resign as Rector of a Parish without the consent of its Vestry, nor may any Rector canonically or lawfully elected and in charge of a Parish be removed therefrom by the Vestry against the Rector's will, except as hereinafter provided.

Section 30.02.

If for any urgent reason a Rector or Vestry desires a dissolution of the pastoral relation, and the parties cannot agree, either party may give notice in writing to the Ecclesiastical Authority of the Diocese. Whenever the Standing Committee is the Ecclesiastical Authority of the Diocese, it shall request the Bishop of another Diocese to perform the duties of the Bishop under this Canon.

Section 30.03.

The provisions of Title III, Canon 9, Section 12 of the Canons of the General Convention apply to pastoral relations in this Diocese.

The Bishop and the Standing Committee will have the option of prescribing a course of action for the health of the Parish, pursuant to Title II, Canon 31.

CANON 31: RESTORING CONGREGATIONAL HEALTH

Section 31.01. PURPOSE

This Canon is intended to address the exceptional case of a Parish whose continued viability as a self-sustaining entity appears to be in jeopardy, such that a degree of Episcopal intervention or oversight is needed as a means of restoring the health of the congregation. It is not intended to derogate from the traditional right and responsibility of Parishes in the Episcopal Church to govern themselves. In those cases where an inquiry is initiated, and where a plan to restore congregational health is implemented is declared, it shall be the duty and obligation of all parties to strive to accomplish the speedy end or substantial amelioration of the conditions that led to the inquiry or to the implementation of a plan to restore congregational health, and to restore the congregation to spiritual and temporal health.

Section 31.02. INITIATION OF INQUIRY

An inquiry by the Ecclesiastical Authority leading to the implementation of a plan to restore congregational health under this Canon may be initiated only in one of the following ways:

The Bishop, believing that one or more of the conditions in Section 31.04 may exist, may initiate such inquiry;

The Standing Committee by vote of two-thirds of its members, believing that one or more of the conditions in Section 31.04 may exist, may petition the Bishop to initiate such inquiry; or if the Standing Committee is the Ecclesiastical Authority, it may initiate such inquiry by

unanimous vote;

The Rector, both Wardens, or a majority of the Vestry of such Parish, believing that one or more of the conditions in Section 31.04 may exist, may petition the Ecclesiastical Authority to initiate such inquiry.

Section 31.03. INQUIRY BY ECCLESIASTICAL AUTHORITY

Upon proper initiation as provided in Section 31.02, the Ecclesiastical Authority, either itself or through persons it may designate, shall conduct such inquiry into the condition of the Parish as it deems appropriate. Such inquiry shall include conversations with persons in the Parish, and may also include written or oral questions to the Parish or members thereof and examination of any books and records of the Parish. The Parish must cooperate in the inquiry by answering such questions fully, accurately, and promptly, and by making available the books and records of the Parish upon reasonable notice. If, after such inquiry, the Bishop finds that one or more of the conditions in Section 31.04 exist in the Parish, the Bishop may, with the concurrence of two-thirds of the Standing Committee, implement a plan to restore congregational health. If the Standing Committee is the Ecclesiastical Authority, it may make such implementation following inquiry, by unanimous vote.

Section 31.04. CONDITIONS IN THE PARISH

No plan for restoring congregational health may be made except upon a finding, following inquiry, that one or more of the following conditions exist in the Parish:

(a) The failure of the Parish, for two years or more, to consist of at least twenty-five adult Communicants of the Church or, for two years or more, to be financially self-supporting.

(b) The failure for at least two years to elect a Vestry or a Rector (where the Parish is without a Rector).

(c) The failure to pay the minimum clergy compensation as required by Canon; or the failure to make timely payment of premium under the clergy pension system as required by Canon, or of premium for any other obligatory insurance for clergy.

(d) The refusal or willful failure to arrange for representation of the Parish at an annual Convention of the Diocese.

(e) The failure or neglect to make canonically-required reports, including the annual parochial report to the Bishop, the annual pledge to the Diocese, and Parish audit report; or to pay duly-assessed Diocesan apportionments or assessments. Voluntary giving shall not be considered a Diocesan apportionment or assessment.

(f) Persistent and significant instability or decline in the financial or temporal condition of the Parish, as evidenced by, for example, substantial invasion of the principal portion of endowment or trust funds, to such a degree that, in the judgment of the Bishop and

two-thirds of the Standing Committee, the long-term viability of the Parish as a self-supporting entity is in jeopardy.

(g) Persistent failure or neglect to conform to the business methods in church affairs required by the Constitution and Canons of the General Convention of The Episcopal Church or of the Diocese, including those requirements relating to the bonding of treasurers or other custodians of funds, proper record keeping, proper maintenance of books of account, annual audit, and the maintenance of adequate insurance.

(h) Persistent failure to provide for and fund health insurance through the denomination health plan for all eligible clergy and lay employees.

(i) Persistent failure to keep all buildings, structures, tangible property of the Parish adequately insured against loss under the Diocesan insurance program or to pay any premiums coming due.

(j) The purchase, use, or conveyance of property of the Parish, or the incurring of debt, other than in conformity with the Constitution and Canons of the General Convention of The Episcopal Church and of the Diocese, except where such non-conformity was inadvertent and resulted in no substantial prejudice to the property or temporal interests of the Parish.

(k) The failure to cooperate in an inquiry under this Canon, or in connection with any other canonical inquiry by the Ecclesiastical Authority or its designee, including the failure or refusal to provide full and accurate information on the state of the Parish and its affairs.

(l) The failure to implement in good faith any plan or arrangement agreed to by the Parish under this Canon.

(m) Apart from the foregoing, any deliberate and manifest breach of obligation of the Parish, set out in the Constitution and Canons of the General Convention of The Episcopal Church or of the Diocese, but only if the following additional conditions are met:

(1) the Bishop shall have transmitted to the Parish a written warning summarizing the conduct or failure to act by the Parish which constitutes the deliberate and manifest breach under this section, indicating the reasons why such conduct or failure to act constitutes such breach, and explicitly directing the Parish to cease and desist from the conduct which constitutes the breach, or to act affirmatively as the canonical obligation requires; and

(2) within 30 days following transmittal of the warning and direction, the Parish shall have failed or refused to conform to the directive so provided, or shall have failed or refused to provide to the Bishop a written plan and agreement satisfactory to the Bishop to bring its conduct into prompt conformity with its canonical obligation.

Section 31.05. PERMITTED ACTIONS

If a plan for restoring congregational health is implemented in accordance with this Canon, the Bishop, with the concurrence of two-thirds of the Standing Committee, may require the application of one or more of the actions below, anything in the articles of incorporation or bylaws of such congregation to the contrary notwithstanding. The actions shall be considered independent actions with no requirement of exhaustion of certain actions before the application of others. If the Standing Committee is the Ecclesiastical Authority, it may require one or more of the following actions by unanimous vote.

(a) A plan for the Parish to cure the conditions which led to the implementation of the plan for restoring congregational health, agreed to by the Parish within 90 days, and implemented thereafter in accordance with its terms.

(b) Appointment by the Ecclesiastical Authority of five or more adult communicants temporarily to govern the affairs of the Parish as Warden and Vestry, notwithstanding any other canonical or other provision for such governance, until the Ecclesiastical Authority declares the end or sufficient amelioration of such conditions, or applies further measures under the Canons.

(c) Designation of the Rector or the Parish Clergy-in-charge, until the Ecclesiastical Authority declares the end or sufficient amelioration of such conditions, or applies further measures under the Canons.

(d) Conveyance of title of all real property of the Parish to the Diocese, which shall preserve and control such property in trust until the Ecclesiastical Authority declares the end or sufficient amelioration of such conditions, or applies further measures under the Canons.

(e) Such other measures as the Ecclesiastical Authority shall determine with the advice and consent of two-thirds of the Standing Committee (or as determined by the Standing Committee acting unanimously, if it be the Ecclesiastical Authority), until the Ecclesiastical Authority declares the end or sufficient amelioration of such conditions, or applies further measures under the Canons.

CANONS 32 – 39: RESERVED

TITLE III ORGANIZING FOR MINISTRY

CANON 40: ADMINISTRATIVE PLAN

Section 40.01. AUTHORITY

The Diocesan Council, which is representative of the Mission Regions of the Diocese of Western Michigan, shall create such commissions, committees, and departments as shall be deemed appropriate to the mission and ministry of the Diocese. Each shall have a stated Mission,

membership, and program and, when necessary, budget, which collectively shall be deemed the Administrative Plan for that year.

Section 40.02. ACCOUNTABILITY

Except for staff groups accountable directly to the Bishop, all such commissions, committees and departments shall be directly accountable to the Diocesan Council. The Diocesan Council shall provide supervision, interpretation, clarification, and direction to such groups as the Diocesan Council may deem necessary.

Section 40.03. COMMISSION REPORTS

Each commission shall report annually and in writing to the Diocesan Council and at other times the Council deems reports necessary. Copies of these reports shall also be sent to the Bishop as Presiding Officer. The Bishop and the Council shall submit in writing an annual report of their work to the annual Convention, including the annual report of the Treasurer.

Section 40.04. REPORT TO CONVENTION

The Diocesan Council shall report each year to the annual Convention on the Administrative Plan, providing the names, mission, membership, and budget for each commission, committee, and department which it has created to meet the mission and ministry needs of the Diocese.

Section 40.05. STAFF GROUPS

Staff groups are advisory committees appointed by the Bishop to assist diocesan staff persons who work directly under the supervision of the Bishop.

CANONS 41 – 49: RESERVED

TITLE IV ECCLESIASTICAL DISCIPLINE

CANON 50: TITLE IV OF GENERAL CANONS

Section 50.01. TITLE IV OF GENERAL CANONS

Those provisions of Title IV of the Canons of the General Convention of The Episcopal Church which are applicable to the Diocese are hereby incorporated as part of this Title. To the extent, if any, that any of the provisions of this Title are in conflict or inconsistent with the provisions of Title IV, the provisions of Title IV shall govern. The Canons in this Title shall take effect on July 1, 2011. The terms of previously elected members of the Diocesan Review Committee and the Ecclesiastical Trial Court shall terminate on June 30, 2011, except with respect to cases in progress on that date.

CANON 51: DIOCESAN COOPERATION

Section 51.01. DIOCESAN COOPERATION

The Episcopal Dioceses of Michigan plan to cooperate in the disciplinary process of any matter in any of these Dioceses going to the Disciplinary Board. When any General Canon shall allow information to be given to a Bishop, the only Bishop to whom information about a charge may be given shall be the Bishop of the Diocese in which the Respondent is canonically resident. The venue of any proceedings shall be in the Diocese in which the Respondent is canonically resident.

CANON 52: DISCIPLINARY BOARD

Section 52.01. DISCIPLINARY BOARD

The Disciplinary Board shall consist of a minimum of four, two lay and two clergy, members from each Diocese cooperating in the empaneling of the Disciplinary Board. A member of the Standing Committee of any Diocese may not serve on the Disciplinary Board.

Section 52.02. DIOCESAN REPRESENTATION

Each of the Dioceses cooperating in the empaneling of the Disciplinary Board shall have two clergy and two lay members on the Disciplinary Board. In addition, each Diocese shall take turns electing one additional clergy member.

Section 52.03. SELECTION OF MEMBERS OF DISCIPLINARY BOARD

Members of the Disciplinary Board, sufficient to fill any upcoming vacancies, shall be selected by the Bishop in consultation with the Standing Committee and approved by the annual Convention of the Diocese.

Section 52.04. TERMS

The initial terms of the members of the Disciplinary Board shall begin on July 1, 2011. Each member of the Disciplinary Board shall serve a two-year term. Except for the initial terms, each term shall begin on January 1 following election. At the first meeting of the Disciplinary Board after July 1, 2011, the members shall draw lots to determine which two members (at least one clergy and one lay) will be serving until December 31, 2011; and, which two members (at least one clergy and one lay) will be serving until December 31, 2012. Thereafter, each Diocese shall elect replacements for members of that Diocese whose terms have ended.

Section 52.05. SUCCESSIVE TERMS

Members may serve no more than two successive terms, after which they must vacate the office for at least one year before being reelected. If a member is appointed to fill a vacancy, the term of such member shall be the unexpired term of the member being replaced or until the next annual Diocesan Convention, whichever time is shorter. A member appointed to fill a vacancy, if otherwise qualified, will be eligible for election to complete the vacated term, and then eligible for reelection to a further full term. If the term of the vacated term would have

concluded at the next annual Diocesan Convention, the member appointed to fill a vacancy, if otherwise qualified, will be eligible for election to two successive terms.

Section 52.06. CLERGY MEMBERS

The clergy members of the Disciplinary Board must be canonically and geographically resident within the Diocese, and remain so for the duration of their term of office.

Section 52.07. LAY MEMBERS

The lay members of the Disciplinary Board shall be adult communicants in good standing of a congregation within the Diocese, and remain so for the duration of their term in office.

Section 52.08. VACANCIES

Vacancies on the Disciplinary Board shall be filled as follows:

(a) Upon the determination that a vacancy exists, the President of the Disciplinary Board shall notify the Bishop of the vacating member's Diocese of the fact of vacancy and request appointment of a replacement member of the same order as the member to be replaced.

(b) That Bishop shall appoint a replacement Disciplinary Board member in consultation with the Standing Committee.

(c) Persons appointed to fill vacancies on the Disciplinary Board shall meet the same eligibility requirements as apply to otherwise appointed Disciplinary Board members.

(d) With respect to a vacancy created for any reason other than pursuant to a challenge as provided below, the term of any person selected as a replacement Disciplinary Board member shall be until the next annual Diocesan Convention. With respect to a vacancy resulting from a challenge, the replacement Disciplinary Board member shall serve only for the proceedings for which the elected Disciplinary Board member is not serving as a result of the challenge.

Section 52.09. PRESIDENT

As soon as practicable after the First day of January of each year, but no longer than 60 days after the First day of January of that year, the Disciplinary Board will meet and elect from its membership a President, who may be a member of the clergy or lay person, and who shall serve for a term of one year (until the replacement is elected).

Section 52.10. CLERK

The Disciplinary Board shall appoint a Disciplinary Board Clerk to assist the Disciplinary Board with records management and administrative support. The Clerk may, but need not, be a member of the Disciplinary Board.

Section 52.11. PRESERVING IMPARTIALITY

In any proceeding under this Title, if any member of a Conference Panel or Hearing Panel of the Disciplinary Board shall become aware of a personal conflict of interest of undue bias, that

member shall immediately notify the President of the Board and request a replacement member of the Panel. Respondent's Counsel and the Church Attorney shall have the right to challenge any member of a Panel for conflict of interest or undue bias by motion to the Panel for disqualification of the challenged member. The members of the Panel not the subject of the challenge shall promptly consider the motion, and any testimonial or written evidence in support of the motion, if any, and determine whether the challenged Panel member should be disqualified from participating in that proceeding.

CANON 53: INTAKE OFFICER

Section 53.01. INTAKE OFFICER

One or more Intake Officers for the Diocese shall be appointed from time to time by the Bishop, according to the needs of the Diocese. The Bishop shall publish the name(s) and contact information of each Intake Officer throughout the Diocese.

CANON 54: INVESTIGATOR

Section 54.01. INVESTIGATOR

The Bishop shall appoint an Investigator in consultation with the President of the Disciplinary Board on an as-needed basis. The Investigator may, but need not be, a member of the Church.

CANON 55: CHURCH ATTORNEY(S)

Section 55.01. CHURCH ATTORNEY(S)

The Bishop, with the consent of the Standing Committee, shall appoint one or more attorneys to serve as Church Attorney(s). The Church Attorney shall be appointed no later than 30 days after the filing of a Charge with the Disciplinary Board. The person(s) so selected may, but need not, be members of the Church; but, must be a duly licensed attorney in the State of Michigan, and need not reside within the Diocese. The Church Attorney may be removed for cause by the Bishop with the advice and consent of the Standing Committee.

CANON 56: ADVISORS

Section 56.01. ADVISORS

In each proceeding under this Title, the Bishop shall appoint an Advisor for the complaining party and an Advisor for the Respondent. Persons serving as Advisors shall hold no other appointed or elected position provided for under this Title, and shall not include the Chancellor or any Vice-Chancellor of this Diocese or any person likely to be called as a witness in the proceeding. The role of the Advisor is found in General Canon IV.2 and is not meant to act necessarily as an attorney. The complaining party and the Respondent are each free to engage an attorney at their own expense.

CANON 57: COSTS AND EXPENSES INCURRED BY THE CHURCH

Section 57.01. COSTS AND EXPENSES INCURRED BY THE CHURCH

The reasonable costs and expenses of the Disciplinary Board, the Intake Officer, the Investigator, the Church Attorney, the Disciplinary Board Clerk and the Pastoral Response Coordinator shall be the obligation of the Diocese in which the Respondent is canonically resident, unless the alleged offense took place elsewhere and the respective Bishops agree on a different cost allocation. Other costs shall be the responsibility of the individual parties incurring them.

CANON 58: RECORDS

Section 58.01. RECORDS OF PROCEEDINGS

Records of active proceedings before the Disciplinary Board, including the period of any pending appeal, shall be preserved and maintained in the custody of the Disciplinary Board Clerk, if there be one; otherwise by the Diocesan office in which the Respondent is canonically resident.

Section 58.02. PERMANENT RECORDS

The Bishop shall make provision for the permanent storage of records of all proceedings for clergy canonically resident in this Diocese under this Title at the Diocese and the Archives of The Episcopal Church, as prescribed in Title IV of the General Canons. The records may, but need not, be stored in electronic formats.

CANON 59: INVOLVEMENT OF THE CHANCELLOR

Section 59.01. INVOLVEMENT OF THE CHANCELLOR

The Chancellor of the Diocese of Western Michigan shall be available to provide advice and counsel to the Disciplinary Board on matters of procedure or on any matter touching upon ecclesiastical or civil law, to the extent such involvement is not inconsistent with the responsibilities of the Chancellor under Title I, Canon 4, Section 4.07, or Title IV, Canon 56, Section 56.01, above. However, the Chancellor shall not express a view on or have any involvement in the merits of a particular case before the Board.

CANON 60: POLICIES OF THE DIOCESE

Section 60.01. POLICIES OF THE DIOCESE AND DISCIPLINE

The Convention of the Diocese may adopt policies that require periodic training or certification. The failure to abide by these policies and attend any required training or certification process shall subject a person or congregation to the sanctions and discipline as provided in these Canons and in the Constitution and Canons of the General Convention of The Episcopal Church.

CANONS 61 – 69: RESERVED

TITLE V: AMENDMENT, CONSTRUCTION, PARLIAMENTARY AUTHORITY

CANON 70: AMENDMENT OF CANONS

Section 70.01. AMENDMENT OF CANONS

Any proposal to amend any Canon of the Diocese shall be submitted in writing to the Bishop not less than ninety days in advance of the meeting of the Convention at which time the same is to be offered. The Bishop shall cause the proposed amendment to be published not less than thirty days in advance thereof, to each member of the clergy entitled to seat and vote at the Convention, the lay delegates to Convention, if known, and a warden of each Parish in union with the Diocese. Such a proposal may be referred to an appropriate person or committee prior to the Convention if the Bishop feels that expert analysis and comment would be useful and enlightening to the Convention. Any persons or Committee so appointed may be asked to report to the Convention. If such amendment shall then be approved by vote of the Convention in accordance with Article IV, Section 8 of the Constitution, the amendment shall become effective as of the close of the day of final adjournment of the Convention.

CANON 71: CONSTRUCTION

Section 71.01. CONSTRUCTION

These Canons, and this Diocese and its organizations, are subject to the Constitution and Statutes of the United States of America, the Constitution and Statutes of the State of Michigan, and the Constitution and Canons of the General Convention of The Episcopal Church in the United States, as the same may, from time to time be amended or changed, and these Canons should be construed as being consistent therewith, anything herein to the contrary notwithstanding.

Section 71.02. CATCH LINE HEADINGS AND COMMENTS

The table of contents, index, cross-reference tables, catch line headings and comments, to the extent published with these Canons, are not part of the text of the Canons, and are not to be used in the construction of these Canons.

Section 71.03. SEVERABILITY OF PROVISIONS

Should any court of competent jurisdiction, whether civil or ecclesiastical, determine that any provision of these Canons is contrary to any governing law as identified in Title V, Canon 70, Section 70.01, above, such provision shall be null, void and of no effect from such point forward; but, such determination shall have no effect on any remaining Canon. Each Canon is severable from the remainder, and shall continue in force until repealed or amended.

CANON 72: PARLIAMENTARY AUTHORITY

Section 72.01. PARLIAMENTARY AUTHORITY

The current edition of Robert's Rules of Order shall be the parliamentary authority at all meetings of the Diocese and any of its Parishes and organizations, unless modified.

Section 72.02. SUSPENSION OR MODIFICATION OF RULES

At any meeting of the Diocese and any of its Parishes and organizations, a two-thirds majority of those present and entitled to vote, provided that a quorum has been determined to be present, may vote to suspend or modify the Rules of Order for that meeting only; and, provided that the suspension of the Rules shall not interfere with the ability of the meeting to adjourn.

CANON 73: PRESUMPTION AGAINST CONFLICT OF INTEREST

SECTION 73.01. PRESUMPTION AGAINST CONFLICT OF INTEREST

No contract of the Diocese, or of any Parish or constituent organization of the Diocese made with any member of the Diocese or of any Parish or constituent organization of the Diocese, or with a partnership or other group or association of which any such member shall be a member or with any corporation of which such member may be a member or director and no contract between this Diocesan corporation and any other corporation having common directors shall be invalid because of such facts alone.

CANON 74: REPRESENTATION OF POSITION OF DIOCESE

Section 74.01. REPRESENTATION OF POSITION OF DIOCESE

No public statement respecting a position on any issue attributed to the Diocese, any Parish in the Diocese, or any organization of the Diocese, may be made unless in full compliance with the Constitution and Canons of this Diocese, and the prior approval of the Bishop. The Bishop has the authority to issue blanket approvals, or to delegate this power by written authorization.

CANON 75: TRANSITIONAL PROVISIONS [Reserved]

Section 75.01. TRANSITIONAL PROVISIONS [Reserved]

RULES OF ORDER

I. ORGANIZATION

(a) The President having the Chair, the Convention shall be called to order.

(b) Each session of the Convention shall be opened with suitable devotions.

(c) The [lay delegation or entire delegation lay and clergy] of any parish that has not properly turned in their parochial report for the preceding year, prior to the beginning of a diocesan or special convention, shall not have the right to vote at that convention. Such a parish shall retain its right to seat and voice.

(d) The Secretary of the preceding Convention (or, in his/her absence, the secretary pro tempore to be elected via vote) shall call out the names of the Parishes and Missions in union with the Convention; and the lay delegates from each shall present their certificates of election, which shall be referred to a committee on Credentials, appointed by the President, consisting of one presbyter or deacon and one lay person. However, at the discretion of the Bishop, certificates of election may be required to be sent in prior to the Convention and be referred to the Committee on Credentials immediately preceding the opening session of the Convention, thereby eliminating the reading of the names of the Parishes and Missions.

(e) If provision has not been made for registration of clerical members before the opening session of the Convention, the Secretary shall call out the names of the clergy entitled to seats in the Convention and shall enter into the Journal the names of those who are present.

(f) The Committee on Credentials shall report.

(g) Quorum and right to vote from time to time shall be determined on the basis of clergy who have registered or answered present and lay delegates who have theretofore been seated by the Convention after the above reports.

II. GENERAL

(a) Nominations from the floor will not be accepted.

(b) When nominations are made for any office, the names shall be recorded in the order in which they were presented.

(c) Elections

(1) The Elections Committee Chair shall cause all names proposed for offices which are to be filled by balloting to be printed on a separate ballot for each office. Separate ballots shall be taken for each office and shall be the order of the day from such hour as the Convention shall fix.

(2) In all elections, a ballot shall be void unless the number of votes cast on the ballot is equal to the number of vacancies to be filled.

(3) In order for any person to be elected to any office, he/she must receive a vote on a majority of ballots cast.

(4) If all offices on a ballot have not been filled after two ballots, then the person who received the fewest number of votes on the second ballot will not appear on the third ballot. If balloting continues, the lowest vote getter will be removed from each successive ballot.

(5) A person named on a ballot may remove his/her name from the ballot at any time during the balloting process.

(d) In case the Bishop shall withdraw from the sittings of the Convention, he shall appoint a Presbyter to preside during his absence.

(e) At any time before the final adjournment of the Convention, the President may, and if requested by any seven (7) members shall, call for the reading of the minutes of the sessions just completed; and after such reading the minutes shall be corrected, signed by the President and attested by the Secretary.

(f) All substantive resolutions shall be in the hands of the Resolutions Committee by at least forty-five (45) days prior to the Convention. Resolutions arising out of the Bishop's Address, submitted by the Chairperson of the Resolutions Committee, are excluded from this rule. A majority vote shall be required to permit consideration of later resolutions.

(g) No motion shall be considered as before the Convention until it is seconded and stated by the President.

(h) When a question is under debate, no motion shall be received, unless it is to lay on the table, to move the previous question, to postpone to a set time, to commit, to amend, to substitute, to postpone indefinitely, or to divide it, and motions of any of these purposes shall have precedence in the order therein named.

(i) A motion to amend by substitution shall be in order.

(j) A motion to amend, to substitute, or amend by substitution must be in written form and presented to the Chair when the motion is made.

(k) A motion to adjourn and a motion to lay on the table shall always be in order and shall be decided without debate. A motion to lay on the table shall require a two-thirds vote of the members present.

(l) A question being decided, it shall not be reconsidered at the same convention without the consent of two-thirds of the members present nor without a motion being made by one of the majority on the prior decision.

(m) Every member present, when a motion is put, shall vote thereon unless excused by the Convention.

(n) The Convention shall vote by presentation of colored cards, except when requested by any delegate and supported by five others, the ballot shall be written. On the requisition of any two members, the yeas and nays shall be called and entered in the Journal. (Concerning the vote by order, see Articles IV, Section 8, of the Constitution of the Diocese.)

(o) All committees shall be appointed by the President unless otherwise ordered by the Convention, and when he may deem it advisable, he may appoint on a committee, to report to the next Convention, a person qualified to be a delegate who is not a member of the Convention.

(p) When a member desires to speak, he or she shall arise and stand at one of the designated places, using the microphone, address the President in an audible voice. If more than one member arises and stands at one of the designated places, the President shall determine the preference, alternating between those who wish to speak for and those who wish to speak against the issue on the floor, when feasible.

(q) No member shall speak more than once on the same subject without leave of the Convention, except that the person making a motion may speak twice on that motion.

(r) Debate on any principle motion and on subsidiary motions addressed to it shall be limited to a total of two minutes per person, unless the limit shall be changed by majority vote of the Convention.

(s) No member shall withdraw from the Convention without leave asked and voted.

(t) These rules of order may be suspended on a two-thirds vote of the members present.

(u) Robert's Rules of Order shall govern the proceedings of the Convention, except as otherwise provided herein above.

Index

Administrative Plan, 38
Advisor, 41
Aid to Congregations, 31
Amendment of Canons, 3, 43
Annual Convention, 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 25, 27, 31, 35, 38, 39, 40, 42, 43, 45, 46, 47
Annual Conventions, 13, 14
Annual Meeting, 8, 22, 25, 26, 27, 28
Apportionment, 17, 18, 35
Apportionment Review Committee, 18
Articles of Incorporation, 15, 24, 25, 37
Audits, 2, 32
Bishop Coadjutor, 1, 2, 3, 9, 13, 19, 20
Bishop Suffragan, 9, 13, 19
Bishop Whittemore Foundation, 7, 31
Chairperson, 14, 16, 17, 46
Chancellor, 11, 14, 19, 41, 42
Church Attorney, 41, 42
Commission, 5, 16, 20, 38
Commissions, 5, 9, 15, 16, 17, 18, 20, 37, 38
Committee on Constitution and Canons, 19
Committee on Credentials, 45
Compensation, 22, 28, 33, 35
Conflict of Interest, 3, 44
congregational health, 14
Congregational Health, 2, 34, 35, 37
Deacon, 20, 30, 45
Deanery, 2, 8, 14, 16, 17, 20, 37
Debt, 32
Delegate, 2, 8, 12, 18, 19, 23, 27, 45
deputies, 12
Diocesan Convention, 8, 12, 13, 16, 18, 19, 39, 40
Diocesan Council, 7, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 24, 25, 28, 30, 31, 33, 37, 38
Diocesan office, 6, 18, 42
Disciplinary Board, 39, 40, 41, 42
Dissolution, 2, 24, 31
Dissolution of the Pastoral Relation, 34
Ecclesiastical Authority, 1, 6, 7, 9, 13, 29, 34, 35, 36, 37
Ecclesiastical Discipline, 38
Elections Committee, 45
Endowments, 23, 32
Finance Committee, 29
Financial Assistance, 30, 31
General Convention, 1, 3, 9, 10, 12, 15, 17, 19, 20, 21, 22, 23, 24, 25, 27, 28, 29, 30, 31, 34, 36, 38, 42, 43
General Fund, 13, 15, 17, 31
Health Insurance, 33, 36
Historiographer, 11
Insurance, 33, 35, 36
Intake Officers, 41
Investigator, 41, 42
Junior Warden, 27, 30
Lay Delegates, 2, 6, 8, 10, 16, 20, 22, 27, 43, 45
New Congregation, 6, 8, 16, 17, 21, 22, 23, 24, 25
Nominating Committee, 11
Parish meeting, 29, 30
Parish Meeting, 25, 26
Parochial Report, 8, 17, 35, 45
Pastoral Response Coordinator, 42
President, 40, 41, 45, 46, 47
Presiding Officer, 2, 9, 10, 14, 15, 26, 38
Provincial Synod, 9, 12
public statement, 44
Real Estate, 23, 24, 29, 31, 32
Resolutions, 9, 15, 46
Resolutions Committee, 46
Rules of Order, 45
Secretary, 7, 8, 10, 12, 13, 14, 17, 22, 23, 25, 26, 27, 28, 29, 30, 45, 46
Senior Warden, 27, 30
Staff Groups, 38

Standing Committee, 1, 3, 6, 7, 9, 11, 13, 14, 15, 18, 20, 21, 23, 24, 25, 28, 29, 32, 34, 35, 36, 37, 39, 40, 41
Suffragan Bishop, 2, 3
Treasurer, 10, 11, 13, 14, 15, 17, 22, 23, 24, 25, 27, 30, 31, 32, 33, 38
Vestry, 6, 7, 8, 13, 21, 25, 26, 27, 28, 29, 30, 34, 35, 37
Vice President, 14
Wardens, 8, 22, 23, 26, 27, 29
Youth Delegate, 2, 6, 8, 16
Youth Representative, 14